

REMARKS**I. Status**

The Office Action indicates claims 1-13, 16, and 18-28 to be pending in this Application. With this response, claim 29 is added, and claims 1, 18, 20, and 22-24 are amended. No new matter has been added.

Claims 1-13, 16, and 18-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes (U.S. Patent No. 6,920,327) in view of Grilli (U.S. Patent Application Publication No. 2003/0002525).

Claims 1, 18, 20, and 22-24 are independent.

II. Amendment of Independent Claims 1, 18, 20, and 22-24

With this response, the Applicant amends claims 1, 18, 20, and 22-24. No new matter has been added.

The Applicant respectfully submits that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... wherein said handover is performed so that an uplink of the digital generally bi-directional communications service is maintained”

as set forth in each of claims 1, 22, and 23 as amended herewith (emphasis added).

As another example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... wherein said handover is performed so that an uplink of the cellular mobile data communication domain is maintained”

as set forth in each of claims 18 and 20 as amended herewith (emphasis added).

As an additional example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... wherein said handover is performed so that an uplink of the digital generally bi-directional communications domain is maintained”

as set forth in claim 24 as amended herewith (emphasis added).

Even if the combination of Brandes and Grilli were, for the sake of argument, taken to provide a handover between the mobile domain and the broadcast domain, the cited references, taken individually or in combination, would still fail to disclose, teach, or suggest, for instance, functionality provided by the claims, at least as amended herewith, wherein, for example, evolution of technology is continued at least as handover is partial, with only downlink of bi-directional communications being handed over to the broadcast domain, but, even during and after the handover, uplink being maintained with the bi-directional mobile communications domain (e.g., a cellular network).

In contrast, the cited references, even taken in combination, at best merely discuss handover in total between different systems. In the case of handover from the mobile domain to the broadcast domain, service is totally handed over and uplink, as broadcast is by-nature uni-directional, is lost and shut down. In the case of handover from the broadcasting domain to the mobile domain, there is no uplink to start with.

The claims, at least with the amendments herewith, provide, for instance, for utilization of an interaction channel by the maintained uplink, while taking advantage of the most effective downlink. The maintenance of the interaction channel or other uplink enhances, for instance, the by-nature uni-directional broadcasting. The handover advantageously, for example,

makes use of effective and cheap broadcasting while still maintaining the interaction channel or other uplink. The Applicant respectfully draws attention, for example, to page 17 lines 13-29 of the disclosure of the present application:

“ ... interaction channel: A bi-directional interaction channel is established between the service provider and the user for interaction purposes in some examples. It can be formed by:

- Return interaction path (return channel): This can perhaps be from the user to the service provider. It can be used to make requests to the service provider or to answer questions. It can also be a narrower band channel. Sometimes referred to as return channel perhaps.
- Forward interaction path: This can be from the service provider to the user. It may be used to provide some sort of information by the service provider to the user and any other required communication for the interactive service provision perhaps. It may be embedded into the broadcast channel. It is possible that this channel is not required in some simple implementations which make use of the broadcast channel for the carriage of data to the user. The forward interaction path may also be the downstream traffic as actually, in some embodiments, no interaction is necessary needed or used: For example, some UTRAN downlink data services” (see disclosure of the present application p. 17 lines 13-29; emphasis added).

In view of at least the foregoing, the Applicant respectfully submits that claims 1, 18, 20, and 22-24, as well as those claims that depend therefrom, are in condition for allowance.

III. Dependent Claims

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to

further address those rejections in the future should such a response be deemed necessary and appropriate.

(Continued on next page)

CONCLUSION

The Applicant respectfully submits that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

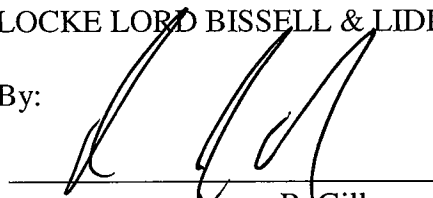
The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 504827, Order No. 1004289.247US (4208-4281).

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

LOCKE LORD BISSELL & LIDDELL LLP

By:

A handwritten signature in black ink, appearing to read 'Angus R. Gill', is written over a horizontal line.

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